

DF

ROCHMAN PLATZER FALICK STERNHEIM LUCA & PEARL, LLP
666 THIRD AVENUE
NEW YORK, NEW YORK 10017

IRWIN ROCHMAN
KENNETH J. PLATZER
BARRY M. FALICK
BOBBI C. STERNHEIM
SCOTT W. PEARL
PATRICIA A. LUCA
JILLIAN S. HARRINGTON
TRISHA LAFACHE

TEL. (212) 697-4090
FAX (212) 972-4654
verdictlaw@aol.com

184 EAGLE ROCK AVENUE
ROSELAND, NEW JERSEY 07068

May 12, 2006

Honorable Allyne R. Ross
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Application granted
S. ordered. . . . , *WST*
5/18/06

Re: United States v. James Lytch
Docket No.: 02-891 (S-4)(ARR)

cc: Counsel

Dear Judge Ross:

I was appointed by the Court of Appeals to perfect Mr. Lytch's brief and appendix. I have obtained his files and a copy of the trial transcript except for the jury deliberations. We contacted Anthony Mancuso, and requested a copy of the transcript of the jury deliberations. He informed us that Criminal Justice Act approval is needed before he can provide the missing transcript. We filed an application in the Court of Appeals for Criminal Justice Act approval. Their Order [enclosed] stated I should make the application in the District Court. Thus, I respectfully request permission to purchase the transcript of the jury deliberations.

Thank you for your consideration in this matter.

Very truly yours,

Rochman Platzer Fallick Sternheim
Luca & Pearl, LLP

By: 
Barry M. Fallick

BMF:ce
Encl.

MOTION INFORMATION STATEMENT

Docket Number(s): 05-6649-CR, 05-6656 (CON)

Motion for: Permission to purchase a missing transcript

Set forth below precise, complete statement of relief sought:
Permission to purchase from the Eastern District Court
Reporter a missing trial transcript

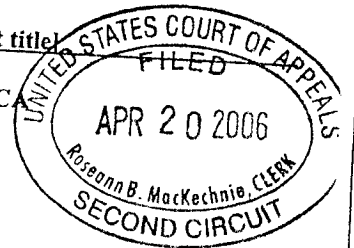
Caption [use short title]

UNITED STATES OF AMERICA

v.

JAMES LYTCH,

Defendant-Appellant



MOVING PARTY: James Lytch

- ☐ Plaintiff ☒ Defendant
☐ Appellant/Petitioner ☐ Appellee/Respondent

MOVING ATTORNEY: Barry M. Fallick, Esq.
[name of attorney, with firm, address, phone number and email]

BARRY M. FALICK, ESQ.
Rochman Platzer Fallick & Sternheim, LLP
666 Third Avenue, 17th Floor
New York, New York 10017
212-697-4090

OPPOSING PARTY: United States of America

OPPOSING ATTORNEY [Name]: United States Attorney
[name of attorney, with firm, address, phone number and email]

United States Attorney
for the Eastern District of New York
One Pierrepont Plaza
Brooklyn, New York 11201

Attn: Kelly Currie, Assistant United States Attorney

Court-Judge/Agency appealed from: Honorable Allyn Ross

Please check appropriate boxes:

Has consent of opposing counsel:

- A. Been sought? ☐ Yes ☒ No
B. Been obtained? ☐ Yes ☒ No

Is oral argument requested? ☐ Yes ☒ No
(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? ☐ Yes ☒ No
If yes, enter date _____

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS & INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? ☐ Yes ☒ No

Has this relief been previously sought in this Court? ☐ Yes ☒ No

Requested return date and explanation of emergency:

Signature of Moving Attorney:

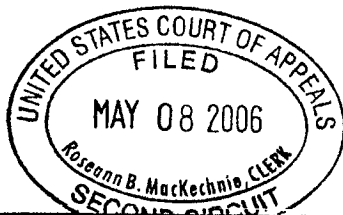
Date: April 19, 2006

Has service been effectuated? ☒ Yes ☐ No

ORDER

Before: Hon. Robert A. Katzmann, *Circuit Judge*

IT IS HEREBY ORDERED that the motion by appellant for permission to purchase transcript of jury deliberations with CJA funds is DENIED. Application for transcript to be made in the District Court.



Date _____

FOR THE COURT:
ROSEANN B. MacKECHNIE, Clerk of Court
by Tracy W. Young
Tracy W. Young, Motions Staff Attorney